REMARKS

Reconsideration of this application as amended is requested. By this amendment Applicants have amended claims 1 and 22, and have added new claim 26. Claim 22 has been amended to correct an obvious typographical error. Claims 1-26 are in the case.

The Examiner rejected claims 1-3, 17-19 and 23-25 under 35 U.S.C. 102(b) as being anticipated by Iijima; rejected claim 11 under 35 U.S.C. 103(a) as being unpatentable over Iijima in view of Ishida et al ("Ishida") and Ellis, II et al ("Ellis"); and rejected claim 21 under 35 U.S.C. 103(a) as being unpatentable over Iijima in view of Fattouche et al ("Fattouche"). Applicants continue to respectfully traverse the Examiner's rejection of claims 1-3, 11, 17-19, 21 and 23-25.

In contradistinction to Applicants' claimed invention Iijima discloses a jitter measurement method that detects serial digital signal frequency deviations of a predetermined frequency (f_m) corresponding to a predetermined period (Tm) other than a clock period (Tr) within a serial digital signal, i.e., Tr (serial digital signal recovered clock period) $\neq$ Tm (predetermined period = k*Tr, k >1), which frequency deviations are converted to period deviations of the predetermined period, i.e., seconds of jitter are measured for the predetermined period, not for the serial digital signal as a whole. Iijima recovers a clock signal f_R (S2) via a phase-locked loop 200 from the high frequency input signal (S1), divides (210) the clock signal to produce a drive signal (S3) for input to a frequency –> time converter 40 and to a second phase-locked loop 220. The second phase-locked loop produces a local oscillator signal S4 for mixing (230) with the high frequency input signal to down convert the

high frequency input signal to a lower frequency signal S5 which is bandpass filtered (240) about the same frequency as S3 -- the divided recovered clock signal. As pointed out by Applicants in the Background the problem with Iijima is that 1) for really high clock rates the ability to recover the clock from a high data rate signal using the PLL is costly and components are not readily available, and 2) the amount of jitter when the clock is divided down as measured in time is maintained, but not the unit interval. Thus Iijima corresponds to the prior art recited by Applicants.

Applicants' claimed invention down converts the high baud serial data stream without recovering the high baud clock in order to maintain the jitter in unit intervals at the divided down clock frequency or low baud serial data stream rate, i.e., the jitter in unit intervals is the same for the clock associated with the high baud serial data stream and the clock associated with the low baud serial data stream. This down converting of the input serial data stream without high baud clock recovery prior to jitter measurement is neither taught nor suggested by Iijima. As indicated in the discussion of the prior art, the obtaining of a low rate clock by dividing a recovered high rate clock does not maintain the jitter in UI between the two clock rates. Claim 1 specifically recites that "the jitter in UI . . . is the same for the low rate serial stream as for the [high baud] serial data stream." Since neither Iijima nor any of the other references teach this maintenance of jitter in UI for both the high and low baud serial streams, claim 1 is deemed to be allowable as being neither anticipated nor rendered obvious to one of ordinary skill in the art by Iijima, either alone or with any of the other cited references. Claim 1 has been amended merely to eliminate some redundant language in the claim to avoid any ambiguity.

Applicant has added new claim 26 in a Jepson format to clearly state that, prior to input to conventional jitter measuring means, the high baud serial data stream is down converted to a low baud serial data stream such that the jitter in UI is the same for both the low and high baud serial data streams.

In view of the foregoing amendment and remarks allowance of claims 1-26 is urged, and such action and the issuance of this case are requested.

Respectfully submitted,

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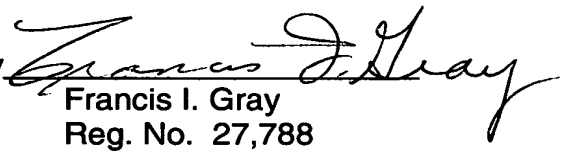
By 

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